

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO.: 3:13-cv-686**

JAMES ANDREW LACOY,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
CAROLYN W. COLVIN,)	
<i>Commissioner of the Social Security Administration,</i>)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on Plaintiff, James Andrew Lacy's ("Lacy") Complaint against Defendant Carolyn W. Colvin, Acting Commissioner of the Social Security Administration, filed on December, 12, 2013. (Doc. 1.)

United States Code 42 Section 405(g) provides that a civil action challenging any final decision of the Commissioner of Social Security may be filed in "the district court of the United States for the judicial district in which the plaintiff resides." 42 U.S.C. § 405(g). Where a case is filed in the wrong district, United States Code 28 Section 1406(a) allows for a district court to transfer the case to the proper district in which it could have been brought. 28 U.S.C. § 1406(a).

Here, Lacy has filed his case, challenging a final decision of the Commissioner of Social Security, in the Western District of North Carolina. However, in the complaint filed with the Clerk's Office, Lacy lists his address as Norwood, North Carolina, which is in the Middle District of North Carolina. (Doc. 1 at 1.) Thus, in accordance with 42 U.S.C. § 405(g), the proper venue for this matter is the district in which Lacy resides, the Middle District of North Carolina.

IT IS, THEREFORE, ORDERED that this matter be **TRANSFERRED** to the Middle District of North Carolina.

Signed: January 10, 2014



Richard L. Voorhees
United States District Judge

